

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

Rose Marie Forrest

Debtor.

Bankruptcy Case No. 24-44513

Honorable Mark A. Randon

Chapter 7

MOTION FOR PRODUCTION OF DOCUMENTS
AND TO EXTEND DEADLINES FOR FILING (1) A COMPLAINT
OBJECTING TO THE DEBTOR'S DISCHARGE UNDER 11 U.S.C. §727
AND (2) A MOTION UNDER 11 U.S.C. §707

The Chapter 7 Trustee, Michael A. Stevenson by his counsel, Stevenson & Bullock PLC, moves this court for an Order for Production of Documents and to Extend the Deadlines for Filing (1) a Complaint Objecting to the Debtor's Discharge Under 11 U.S.C. §727 and (2) a Motion Under 11 U.S.C. §707. (See Exhibit 1).

IN SUPPORT of the motion, the Trustee states:

JURISDICTION

1. This motion is brought pursuant to Fed. R. Bankr. P. 2004, E.D. Mich. L.B.R. 2004-1, Fed. R. Bankr. P. 7031, Fed. R. Civ. Pro. 31, and F.R.Bankr.P. 9014 and 4004(b) for an order requiring the Debtor to produce documents and to extend the deadlines for filing a complaint objecting to the Debtor's discharge and a motion under 11 U.S.C. §707.

2. This court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and this is a core proceeding pursuant to 28 U.S.C. § 157(a) and (b).

FACTS

3. On May 6, 2024, Rose Marie Forrest (the “Debtor”) filed a voluntary petition under Chapter 7 of the Bankruptcy Code.

4. Michael A. Stevenson (the “Trustee”) is the duly appointed Chapter 7 Trustee of the estate of the Debtor.

5. The deadline to file a complaint determining dischargeability of debt and objecting to the discharge of the Debtor is August 12, 2024; the deadline to file a motion under 11 U.S.C. §707 is also August 12, 2024.

6. On June 13, 2024, the Debtor attended her 341 Meeting of Creditors, at which time the Trustee’s counsel questioned the Debtor and inquired as to if the Debtor would stipulate to produce documents and extend certain deadlines; the Debtor agreed to stipulate and verified her email address for a proposed stipulation and order to be forwarded to her.

7. The same day, the Trustee’s counsel emailed the Debtor the proposed stipulation and order for the production of documentation and information related to the Debtor’s financial affairs and extending the deadlines for filing objections to discharge, a motion under 707, and a declination or motion to dismiss under 11 U.S.C. §707(b)(2).

7. As of today’s date, the Debtor has not acknowledged receipt of the proposed stipulation and order, nor has she approved same.

8. Records produced to the Trustee to date make it impossible for the

Trustee to complete his due diligence regarding the Debtor's financial affairs.

ARGUMENT

9. It is necessary for the Trustee to obtain the records described in the proposed order in order to investigate the value of the bankruptcy estate's interest in the Debtor's ongoing business, the disclosed assets of the Debtor, any potential preferential and/or fraudulent transfers, and any other assets of the bankruptcy estate.

10. F.R.Bankr.P. 4004(b) and 9006 permit the Court, for cause, to extend the time for filing a complaint objecting to discharge and for filing a motion under 11 U.S.C. §707.

11. Cause exists to extend the time of filing a complaint objecting to discharge and a motion under 11 U.S.C. §707 as the Trustee has been able to complete his due diligence due to the Debtor's failure to produce the documents required by 11 U.S.C. § 521 and L.B.R. 2003-2(b), and the Debtor's failure to stipulate to the production of the documents.

WHEREFORE, the Trustee requests that this Court enter an order requiring Rose Marie Forrest to produce and turn over to the Trustee the records identified in the proposed order attached hereto as Exhibit 1 and to extend the deadlines to file an objection to the Debtor's discharge and motion under 11 U.S.C. §707.

Respectfully submitted:

STEVENSON & BULLOCK, P.L.C.

/s/ Sonya N. Goll (P61136)

Sonya N. Goll

Attorney for Trustee

26100 American Dr., Suite 500

Southfield, MI 48034

(248) 354-7906

sgoll@sbplclaw.com

Dated: June 18, 2024

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF:

Rose Marie Forrest

Debtor.

Bankruptcy Case No. 24-44513

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Chapter 7

**ORDER GRANTING MOTION FOR PRODUCTION OF DOCUMENTS
AND TO EXTEND DEADLINES FOR FILING (1) A COMPLAINT
OBJECTING TO THE DEBTOR'S DISCHARGE UNDER 11 U.S.C. §727
AND (2) A MOTION UNDER 11 U.S.C. §707**

This matter having come before the Court upon the Chapter 7 Trustee's Motion for Production of Documents and to Extend the Deadlines for Filing (1) a Complaint Objecting to the Debtor's Discharge Under 11 U.S.C. §727 and (2) a Motion Under 11 U.S.C. §707; notice having been given pursuant to applicable bankruptcy rules; no objection or request for hearing having been made or filed in response thereto; and the Court being duly advised in the premises:

IT IS HEREBY ORDERED that Trustee's Motion for Production of Documents and to Extend the Deadlines for Filing (1) a Complaint Objecting to the Debtor's Discharge Under 11 U.S.C. §727 and (2) a Motion Under 11 U.S.C. §707 is granted.

IT IS FURTHER ORDERED that Rose Marie Forrest (the "Debtor") shall produce and turn over the financial records and other documents identified

below in her possession, custody, control or obtainable upon reasonable efforts, to the Chapter 7 Trustee's counsel, Sonya N. Goll, at the law firm of Stevenson & Bullock PLC, 21600 American Dr., Ste. 500, Southfield, MI 48034 on or before close of business July 11, 2024:

For Personal:

1. Complete copies of the May 6, 2022 through May 6, 2024 statements for the Debtor's checking and savings accounts at Independent Bank, the Debtor's Cash App account, and any other bank, financial, brokerage, or retirement accounts in the Debtor's name, either individually or jointly, or for which the Debtor is an authorized user or for which the Debtor has money deposited into;
2. Complete copies of the Debtor's federal and state income tax returns with all schedules, statements, W-2s, 1099s, and K-1 statements for the last two years the Debtor filed tax returns; and
3. Proof of all payments made by the Debtor to any universities, colleges or trade schools for any of the Debtor's children within the last six (6) years.

For The Jamaican Pot, for Jamaican Pot, Inc., and for Jamaican Pot New Center, LLC:

1. Detailed profit and loss statements for 2023 and for 2024 through date of filing;
2. balance sheet for 2023 and for 2024 through date of filing;
3. accounts receivables statement as of the date of filing;
4. accounts payables statement as of the date of filing;
5. asset list as of the date of filing;
6. the May 6, 2022 through May 6, 2024 statements for any and all bank, financial or brokerage accounts open in the last two years for the business, including, but not limited to, the Chase checking account ending in 9615 and the Chase checking account ending in 9686, and copies of all cancelled checks or legible check registers or ledgers if cancelled checks not available for the same time period;
7. copies of the most recent financial statement;
8. copies of the operating agreement and any subsequent amendments;

9. the May 6, 2022 through May 6, 2024 copies of all paid invoices/receipts;
10. the May 6, 2022 through May 6, 2024 of copies of all outstanding invoices;
11. copies of all insurance policies;
12. copies of the bylaws;
13. a list of current and/or former employees with address, telephone number, positions and pay;
14. copies of all reports of any monies or other consideration disbursed to shareholders/partners/members from 2016 to the present;
15. copies of any and all books and records kept by the business entity in its normal course of business;
16. copies of all records of any purchase, sale or lease of real or personal property involving the entity since 2017;
17. copies of all general ledgers;
18. copies of all contracts for 2023 and for 2024;
19. Last 4 quarterly federal and state payroll tax returns;
20. Sales tax returns for the previous 12 months;
21. Book and tax depreciation schedule for the past 3 years;
22. the complete website address or addresses for the business;
23. the Facebook page name for the business;
24. Copy of notes to financial statements;
25. List of and copies of all patents and other intellectual property works;
26. List of any enforcement action(s) with environmental authorities;
27. Copy of all long-term supply agreements with customers;
28. Sales projection by product and by customer for next five years;
29. Depreciation schedules including 179 depreciation and bonus depreciation;
30. Copy of collective bargaining agreement;
31. List of all safety deposit boxes with inventory of contents;
32. List of all foreign bank accounts;
33. Copy of all bids submitted to customers for future work; and
34. Copy of all franchise agreements.

IT IS FURTHER ORDERED that if the Debtor does not provide the Trustee's counsel with any of the documents specified above, then no later than close of business, July 11, 2024, the Debtor shall file with the Court an affidavit

attesting to what documents were not provided, why each document was not provided, what steps the Debtor took to obtain the documents, and, if the requested document(s) which was not/were not produce exist, the name of the individual(s) who has/have the document(s), their relation to the Debtor, and their contact information. If, in the Trustee's opinion, the explanations given in the affidavit for why the documents were not produced are insufficient, or if the Debtor does not file an affidavit as to the missing documents the Trustee shall file an affidavit and the Court may immediately schedule a hearing to determine the adequacy of the Debtor's explanation, the Debtor's failure to produce the required documents, if the Debtor should be held in contempt of court, and if sanctions, including, but not limited to, attorney fees and costs should be assessed against the Debtor.

IT IS FURTHER ORDERED that the deadline to file Objections to Debtor's Discharge is extended to October 14, 2024 as to Trustee Michael A. Stevenson and the United States Trustee.

IT IS FURTHER ORDERED that the deadline to file a motion pursuant to 11 U.S.C. §707 is extended to October 14, 2024 as to Trustee Michael A. Stevenson and the United States Trustee.

IT IS FURTHER ORDERED that the Debtor is precluded from objecting to the late filing of a Declination or Motion to Dismiss under 11 U.S.C. § 707(b)(2) by the U.S. Trustee, provided said motion or declination is filed on or before September

13, 2024.

**UNITED STATES BANKRUPTCY COURT
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IN THE MATTER OF:

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**NOTICE OF TRUSTEE'S MOTION FOR PRODUCTION OF DOCUMENTS
AND TO EXTEND DEADLINES FOR FILING (1) A COMPLAINT OBJECTING TO
THE DEBTOR'S DISCHARGE UNDER 11 U.S.C. §727 AND (2) A MOTION UNDER 11
U.S.C. §707**

The Trustee, Michael A. Stevenson, by and through his counsel, Stevenson & Bullock, P.L.C. has filed a Motion for Production of Documents and to Extend the Deadlines for Filing (1) a Complaint Objecting to the Debtor's Discharge Under 11 U.S.C. §727 and (2) a Motion Under 11 U.S.C. §707.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought by Trustee, or if you want the court to consider your views on the Motion, **within 14 days**, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:
United States Bankruptcy Court, 211 W. Fort Street, 21st Floor, Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to:

**Sonya N. Goll, 26100 American Dr., Suite 500 Southfield, MI 48034; and
Office of the U.S. Trustee, 211 W. Fort Street, Suite 700, Detroit, MI 48226.**

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the Motion and you will be served with a notice of the date, time and locations of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting relief.

June 18, 2024

/s/ Sonya N. Goll
Attorney for the Trustee
26100 American Dr., Suite 500
Southfield, MI 48034
(248) 354-7906
sgoll@sbplclaw.com

Exhibit 2

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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IN THE MATTER OF:

Rose Marie Forrest

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PROOF OF SERVICE

Sonya N. Goll of Stevenson & Bullock, P.L.C., hereby certifies that on the 18th day of June, 2024, a copy of **Trustee's Motion for Production of Documents and to Extend the Deadlines for Filing (1) a Complaint Objecting to the Debtor's Discharge Under 11 U.S.C. §727 and (2) a Motion Under 11 U.S.C. §707, a Proposed Order, Notice of Motion**, and this **Proof of Service** was served electronically to:

Office of the U.S. Trustee	Rose Marie Forrest at Rosemarie1228@yahoo.com
	Michael A. Stevenson, at mstevenson@sbplclaw.com

/s/ Sonya N. Goll (P61136)
26100 American Dr., Suite 500
Southfield, MI 48034
(248) 354-7906
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